

KATAYOUN PIRESTANI

vs.

VAN BEEK BROS TRUCKING INC

NO. 2018-23565

**NOTICE TO DEFEND - CIVIL**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERENCE SERVICE  
MONTGOMERY BAR ASSOCIATION  
100 West Airy Street (REAR)  
NORRISTOWN, PA 19404-0268

(610) 279-9660, EXTENSION 201

KATAYOUN PIRESTANI

vs.

VAN BEEK BROS TRUCKING INC

NO. 2018-23565

**CIVIL COVER SHEET**

State Rule 205.5 requires this form be attached to any document commencing an action in the Montgomery County Court of Common Pleas. The information provided herein is used solely as an aid in tracking cases in the court system. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

Name of Plaintiff/Appellant's Attorney: ERIK SNYDER, Esq., ID: 315999

Self-Represented (Pro Se) Litigant ☐

**Class Action Suit**

☐

Yes

☒

No

**MDJ Appeal**

☐

Yes

☒

No

**Money Damages Requested**

☒

**Commencement of Action:**

Complaint

**Amount in Controversy:**

More than \$50,000

**Case Type and Code**

Tort:

Motor Vehicle

**Other:**

**SNYDER LAW GROUP, P.C.**  
**BY: ROBERT P. SNYDER, ESQUIRE**  
**ERIK P. SNYDER, ESQUIRE**  
**ATTORNEY ID NOS. 15367, 315999**  
 121 IVY LANE  
 KING OF PRUSSIA, PA 19406  
 (610) 265-8050 (610) 265-6638 fax

**JURY TRIAL DEMANDED**

**Attorneys for Plaintiff**

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IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA  
 CIVIL DIVISION - LAW

KATAYOUN PIRESTANI  
 156 Penns Manor Drive  
 Kennett Square, PA 19348

v

VAN BEEK BROS TRUCKING, INC.  
 1335 290<sup>th</sup> Street  
 Inwood, IA 51240

&

JON KOOIMA TRUCKING, LLC  
 3252 Eagle Avenue  
 Rock Valley, IA 51247

&

JONATHAN KOOIMA  
 3252 Eagle Avenue  
 Rock Valley, IA 51247

Defendants

No.:

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**COMPLAINT**

AND NOW, comes the Plaintiff, KATAYOUN PIRESTANI, by and through counsel,  
 SNYDER LAW GROUP, P.C., who respectfully sets forth the following:

## PARTIES

1. Plaintiff, Katayoun Pirestani, is an adult American citizen who, at all times relevant hereto, has maintained residence at the above-captioned address, within the Commonwealth of Pennsylvania.
2. Defendant, Van Beek Bros Trucking, Inc. ("Van Beek"), is believed, and therefore averred, to be a foreign corporation, registered and doing business under and pursuant to the laws of the Commonwealth of Pennsylvania, with its registered or principal place of business at the above-captioned address, and, at all times relevant hereto, acted through its duly authorized agents, servants, workmen, and/or employees, all of whom were acting within the scope of their employment, agency, and allegedly in furtherance of Defendant's business interests.
3. Defendant, Jon Kooima Trucking, LLC ("Kooima Trucking"), is believed, and therefore averred, to be a foreign corporation, registered and doing business under and pursuant to the laws of the Commonwealth of Pennsylvania, with its registered or principal place of business at the above-captioned address, and, at all times relevant hereto, acted through its duly authorized agents, servants, workmen, and/or employees, all of whom were acting within the scope of their employment, agency, and allegedly in furtherance of Defendant's business interests.
4. Defendant, Jonathan Kooima ("Kooima"), is believed, and therefore averred, to be an adult American citizen who, at all times relevant hereto, has maintained residence at the above-captioned address, and was, as of April 26, 2018, date of the motor vehicle collision more fully described herein below, an agent, servant, workman, contractor, and/or employee, of the aforementioned corporate Defendants, acting individually and/or in his capacity as a real, apparent, and/or ostensible agent for Defendants Van Beek and/or Kooima Trucking.

**FACTUAL ALLEGATIONS**

5. On or about April 26, 2018, Defendant Kooima was the driver of a 2000 Peterbilt TT large truck, owned by Defendant Van Beek (VIN # 1XP6DR9X4YN517345), which was involved in the collision, described more fully below.

6. On or about April 26, 2018, Plaintiff Katayoun Pirestani was the operator of 2015 Volkswagen Passat motor vehicle (VIN# 1VWAT7A39FC09B186) involved in the collision, described more fully below.

**COUNT I - NEGLIGENCE**

**Plaintiff v. Defendants**

7. The preceding paragraphs are hereby incorporated by reference as though fully set forth at length herein below.

8. On or about April 26, 2018, at approximately 3:45 p.m., Plaintiff Katayoun Pirestani was lawfully operating a motor vehicle in the westbound direction along 1-76, at or near the exit for 202 South and 422 West (Exit 328A), Montgomery County, Pennsylvania, when suddenly, and without warning, the vehicle operated by Defendant was so carelessly, negligently, wantonly, willfully, and recklessly operated as to attempt to merge into Plaintiff's lane at the point where her vehicle was, and came into a violent collision with the driver's side of the vehicle Plaintiff was operating, resulting in injuries and damages as more fully set forth herein below.

9. The injuries and damages hereinafter set forth were caused solely by and were the direct and proximate result of the carelessness, negligence and/or recklessness of the Defendants, in any or all of the following respects:

- a. Failing to have the motor vehicle under proper and adequate control;
- b. Making improper/careless turns/merges;
- c. Failing to maintain proper lookout;
- d. Failing to obey the traffic signals;
- e. Operating the motor vehicle at an unsafe speed;
- f. Failing to yield the right of way;
- g. Operating the motor vehicle without due regard for the rights, safety, point and position of the Plaintiff's vehicle;
- h. Failing to comply with various ordinances of the municipality and statutes of the Commonwealth of Pennsylvania pertaining to the operation of motor vehicles upon highways;
- i. Failing to keep his eyes on the highway, permitting himself to be distracted while driving; and
- j. Failing to apply brakes to avoid striking Plaintiff's motor vehicle.

10. As a result of the aforementioned motor vehicle collision, Plaintiff has suffered various and sundry serious injuries to and about her person, including those which are considered serious, with serious impairments of bodily functions, including, but not limited to, the following: injuries to her neck, shoulders, wrist, and ankle, together with a severe and permanent shock to her nerves and nervous system.

11. All of the aforementioned injuries have caused Plaintiff great pain, agony, and mental anguish in the past, and will, in all likelihood, continue to do so for an indefinite period of time into the future, thereby being permanent injuries.

12. As a further result of the injuries sustained in the above motor vehicle collision, Plaintiff has been, and will continue in the future to be, hindered and prevented from attending to and about her normal and usual daily duties, labors, and occupations, thereby resulting in a loss, depreciation, and diminution of her earnings and earning capacity, and ability to enjoy life and life's pleasures, all of which may be and/or is permanent in nature.

13. Plaintiff has incurred, and/or will continue to incur, items of economic loss in the form of healthcare expenses, for which she is legally responsible, in attempting and endeavoring to treat and cure herself of the injuries sustained as the result of the negligence and carelessness of the Defendants, such items being in amounts exceeding those otherwise recoverable, much to her great financial damage and loss.

14. At all times material hereto, Plaintiff acted with due care and was not negligent.

WHEREFORE, Plaintiff requests that this Honorable Court enter a judgment in favor of Plaintiff and against Defendants, in a sum in excess of fifty thousand dollars (\$50,000), together with lawful interest and allowable costs of suit, a twelve-person jury trial being requested.

Respectfully submitted:

**SNYDER LAW GROUP, P.C.**

10/5/18

/s/ Robert P. Snyder

Date: \_\_\_\_\_

BY: \_\_\_\_\_  
ROBERT P. SNYDER, ESQ.  
Attorney for Plaintiffs

10/5/18

/s/ Erik P. Snyder

Date: \_\_\_\_\_

BY: \_\_\_\_\_  
ERIK P. SNYDER, ESQ.  
Attorney for Plaintiffs



VERIFICATION

I verify that the statements made in the foregoing are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C. S. Section 4904 relating to unsworn falsification to authorities.

Date: 10/5/18

Katayoun Pirestani

Printed Name: KATAYOUN PIRESTANI